

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Cr. 19-1306 JB

LAWRENCE SALAZAR,

Defendant.

**UNOPPOSED MOTION TO CONTINUE
TRIAL SETTING AND MOTION DEADLINE**

The United States, through Assistant United States Attorney Norman Cairns, requests this Court to vacate the current jury trial setting of August 5, 2019, and to set new motion deadline.

In support of its Motion, the government state as follows:

1. The undersigned Assistant United States Attorney has just finished a jury trial in United States v. Gaspar Leal, No. 16-3308 JB.
2. The undersigned Assistant United States Attorney is scheduled to begin trial again on August 26, 2019, in United States v. Joseph Martinez, No. 18-100 MV.
3. The undersigned Assistant United States Attorney cannot prepare for two trials at the same time.
4. The undersigned Assistant United States Attorney has extended two plea

offers to the Defendant and has not yet heard whether the Defendant will accept either plea offer.

5. The Defendant is not in custody and will be not prejudiced by a continuance of the trial setting.

6. This is the first request for a continuance.

7. Counsel for the Defendant does not oppose this motion.

Pursuant to 18 U.S.C. § 3161(h)(8)(A), this request for a continuance is in the best interest of justice and outweighs the best interests of Mr. Salazar and the public in a speedy trial. Pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), a continuance will allow for the continuity of counsel and reasonable time necessary for effective preparation, taking into account the exercise of diligence. The United States requests that the Court find pursuant to 18 U.S.C. § 3161(h)(8)(A) that, if Court grants this motion, all the time from the date of the order granting the continuance to the new jury trial setting be excluded for the purposes of the Speedy Trial Act.

WHEREFORE for the foregoing reasons, the United States, through undersigned Assistant United States Attorney, respectfully request that this Court vacate the current jury trial setting of August 5, 2019, and motion deadline, and to continue the jury trial to the September or October docket.

Respectfully submitted,

JOHN C. ANDERSON
United States Attorney

Filed electronically
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I HEREBY CERTIFY that on the 25th day of July, 2019, I filed the foregoing pleading electronically through the CM/ECF system, which caused counsel of record for Defendant to be served by electronic means.

Filed Electronically
NORMAN CAIRNS
Assistant U.S. Attorney